

AFFIDAVIT

I, Dennis Regan, hereby depose and state as follows:

1. I am a Special Agent of the Federal Bureau of Investigation ("FBI") and have been so employed for over 13 years. I have been involved in numerous investigations involving white-collar crime, narcotics, violent crimes, and bank robberies and am a Certified Public Accountant. I have been assigned to the Boston Division of the FBI for the past year, and am currently assigned to the Economic Crimes Unit.

2. I am aware that Title 18 of the United States Code, Section 1344, makes it a crime for anyone to knowingly execute or attempt to execute a scheme or artifice to obtain any of the moneys, funds, credits, assets, securities or other property owned by or under the custody or control of, a financial institution, by means of false or fraudulent pretenses, representations, or promises.

3. I am also aware that Title 18 of the United States Code, Section 1028A, makes it a crime for anyone to knowingly transfer, possess or use, without lawful authority, a means of identification of another person during and in relation to a violation of Title 18, United States Code, Section 1344, Bank Fraud.

4. I make this affidavit in support of a criminal complaint against JANICE PIERRE ("PIERRE"). For the reasons detailed below, there is probable cause to believe that PIERRE committed Bank Fraud and Aggravated Identity Theft on or about July 12, 2005.

5. The facts stated herein are based on my own personal involvement in this investigation, my discussions with other law enforcement officers also involved in the investigation, my review of police reports, as well as with interviews victims and

witnesses to the matter contained herein. In submitting this affidavit, however, I have not included each and every fact known to me about the investigation, but only those facts that I believe are sufficient to establish the requisite probable cause.

OVERVIEW OF THE SCHEME:

6. Based on the investigation to date, I believe that PIERRE and several other individuals are involved in a scheme to buy properties through the use of mortgages obtained using the credit histories of innocent third parties. The group then “sells” those properties at a higher price using a different stolen identity to obtain a larger fraudulent mortgage. In this manner, the group can purchase a house for, say, \$300,000 financed largely with a mortgage, not make any payments on that mortgage, then a few months later “sell” the house to another person involved in the scheme who uses a stolen identity to “purchase” the house for, say, \$400,000, again financed largely with a fraudulently obtained mortgage. The group then repeats this process at a still higher amount, obtaining a still higher mortgage. By doing so, the group creates the appearance of a house rising in value, allowing them to obtain ever larger mortgages. The group makes as profit the difference in price between the original purchase price and the size of the largest fraudulent mortgage.

7. Both the banks who unwittingly provide these fraudulent mortgages, and the individual victims whose identities are stolen and upon whose credit history these mortgages are provided are victims of this scheme.

SPECIFIC ACTIVITY CHARGED IN THE CRIMINAL COMPLAINT:

8. On or about July 12, 2005, PIERRE submitted an application for a mortgage loan from JMA Mortgage in Wakefield, Massachusetts for \$240,000. PIERRE

submitted this application in the name of a person with the initials G.G., using G.G.'s social security number in an effort to qualify for the necessary credit.

9. JMA Mortgage is an independent mortgage company that contracts with numerous federally insured financial institutions to provide loans. If the above describe loan had been funded, it would have been funded with the deposits of a federally insured financial institution.

10. The proposed loan was to be secured by 2 Rhodes Avenue, #1, Lynn, Massachusetts, a home that PIERRE purported to be in the process of purchasing.

11. A law enforcement officer working with me in this investigation confirmed that the social security number provided for the loan belongs to a real person with the initials G.G. This is the same name that PIERRE used, but PIERRE misspelled the first name in the documents she provided JMA Mortgage by leaving off a single letter. G.G. has been interviewed and has stated that neither PIERRE nor anyone else had her permission to apply for a loan using her identity information.

12. In the process of submitting this application for the above-described mortgage, PIERRE provided the bank with a faxed copy of a counterfeit Massachusetts driver's license in the name of G.G. but with PIERRE's photograph.

13. PIERRE also met in person with an employee of JMA Mortgage. During this meeting, she claimed to be G.G.


EVIDENCE THAT PIERRE IS THE PERPETRATOR OF THE FRAUD

14. I have compared the photograph appearing in the records of the Massachusetts Registry of Motor Vehicles ("RMV") for PIERRE with the photograph appearing on the counterfeit license described above. I believe that these photographs are

of the same person. In fact, I believe that the photograph in the counterfeit license is the same photograph as appears on PIERRE's actual Massachusetts license.

CONCLUSION:

15. Based on the information set forth above, there is probable cause to believe that PIERRE has committed Bank Fraud and Aggravated Identity Theft in violation of federal law, namely Title 18, United States Code, Section 1344, and Title 18, United States Code, Section 1028A.


DENNIS REGAN
Special Agent, F.B.I.

Subscribed and sworn to before me this 1st day of September 2005.

ROBERT B. COLLINGS
United States Magistrate Judge